3.21.E.

ETHIOPIA

UNITED NATIONS
WAR CRIMES COMMISSION

3.21.E.

(For the Use of the Secretariat)

Registered Number. | Date of receipt in Secretariat.

UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIA CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE No. 2 A - E. *

Name of accused, his rank and unit, or official position. (*Not to be translated.*)	G R A I A N I, Rodolpho Marshal (General) Commander of the forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
Number and description of crime in war crimes list. References to relevant provisions of national law.	A) XXIII, B) XIX, C) XX, D) XXVI, E) I, II, III, IV, VII, VIII, XII, XIV, XVII, XVIII, XXIX, XXXIII. Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
(ii) Bombardment of many undefended places during Graziani's governorship.
C) (i) Destroying of churches on the Southern Front.
(ii) Destroying of religious buildings during Graziani's governorship.
D) (i) Use of poisonous gases against troops and civilians on the Southern Front.
(ii) Use of gases also on many occasions during Graziani's governorship.
E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

TRANSMITTED BY The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Ambaye Walda Selassie
President of the Commission

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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Registered Number. | Date of receipt in Secretariat.

UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIA CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE No. 2 A - E. *

Name of accused, his rank and unit, or official position. (*Not to be translated.*)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the Forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
Number and description of crime in war crimes list. References to relevant provisions of national law.	A) XXIII, B) XIX, C) XX, D) XXVI, E) I, II, III, IV, VII, VIII, XII, XIV, XVII, XVIII, XXIX, XXXIII. Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
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E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

TRANSMITTED BY The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Ambaye Gebre Giam
President of the Commission

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(29655) Wt.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) Wt.P.1163/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Graziani case under A), B), C) and D), with the exception of the crimes committed on the northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Lukula and the railway to Jo-Mahma with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, two of them bombers, took part in the action. The villages were first destroyed by explosive and incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

C) (ii) One example: The historic Monastery of Debra Libanos was in May 1937 pillaged and destroyed.

D) (ii) Two examples:

a) In a telegram of 11th September, 1936, to Rome Graziani communicates a report telling that the air-force the same day has accomplished reprisals, using asphyxiating gases of any sort, in the zone, where it was presumed that Wondewossen had retired with his armed forces, "senza distinzione tra sottomessi et non sottomessi".

b) In a telegram of 11th September, 1936, to Asmara, where a detachment of the air-force was based, Graziani, confirming another telegram adds that reprisals ought to be performed without pity in all districts of Lasta. Stating that Lasta is a fortified place and that the brethren Kassa from this time onwards are irreversibly rebels, Graziani gives the following instructions: "It is accordingly necessary to destroy systematically the said region in such a way that the people get convinced that they must abandon their chiefs /./ Since it is impossible to act to-day by troops the end may be attained by using during several days all means of destruction possessed by the air-force, especially by utilising asphyxiating gases".

e) The Graziani Massacre: This massacre started on 19th February, 1937, after some bombs had been thrown against Graziani, who in the presence of all dignitaries presided a ceremony of distribution of alms, a ceremony which he copied from the Emperor of Ethiopia.

The organization of the massacre was systematic. The stopping of telegraphic and telephonic communication, in order to prevent people from giving any information to Europe, the closing of the shops, and the evacuation of the streets, were precautionary measures, carried out between 11 a.m., when the bombs had been thrown, and 6 p.m. If the first shooting in the courtyard and around the Palace, from which barely a single Ethiopian had escaped alive, occurred under the immediate fear and panic spread by the bomb thrown at Graziani, the massacre which started in the night was carefully prepared during seven hours.

Ethiopians were thrust into lorries, guarded by armed Blackshirts. Revolvers, truncheons, rifles and daggers were used to murder unarmed Ethiopians, of both sexes and all ages. Ethiopian houses were searched and then burnt with their inhabitants inside. The shooting never ceased all night, and many of the victims were executed with daggers and truncheons. Whole streets were burned down, and if any of the occupants of the houses was out from the fire they were shot-gunned or stabbed. It was a mass murder of men, women and children and also an immense slaughtering of animals. The murder was accompanied by horrible mutilation and by robbery. The massacre was so systematical that three places in the town were appointed for the collection of corpses.

A second night of massacre followed, which resembled the first in every respect. The bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIME

Some other examples:

a) In a telegram of 12th September, 1936, to Gen. Graziani reports, among other things, that Major Cerfare has already effected, the day before, the destruction of all villages in the valley of Gibele Chiorghis and has shot 56 of 62 rebels, who were taken prisoners.

b) In a telegram of 30th July, 1936, we read, in which the execution of the Abuna Petros, one of the Ethiopian archbishops, is mentioned, Graziani reports, among other things, that the work of dispersing the armed groups, dispersed in the forests, continues, that all prisoners have been executed and that inexorable repression has been effected of "tutte popolazioni" guilty if not of complicity so at least of "omessa reazione".

c) About 500 monks were in the year 1937 kept in prison at Danjo. The conditions in the prison were extremely bad and most of the monks perished by starvation or disease.

d) A telegram of 1st March, 1937, from Graziani to General Nasi reads in translation: "10330 Gabinet /./ Riservato personale /./ Decipher alone /./ Report 2646 M. concerning the presentation of numerous Amhara notables and officers in the regular ex-army /./ I order that they all be executed according to the directions given by Il Duce, thousand times repeated and unfortunately little obeyed by many people /./ The time has come when this must be brought to a close /./ I am anxious to inform Y.E. that the question is about those who have attempted my life - which is of no importance but does however represent Italy. - they were all Ethiopian notables who on generous conditions had been pardoned "un poco ovunque" /./ Moreover I will mention that I have already taken into consideration the complete removal of the Abyssinian chiefs and notables, a measure which Y.E. should take in his territories /./ A better occasion to get rid of them and a more favourable moment could not be found. Please acknowledge by the word EXECUTION, 'ma che mia assicurazione sul serio' /./ I transmit the whole of the present telegram to H.E. the Chief of the Government and I will do the same with any answer which Y.E. would send me in this matter."

e) In May, 1937, the execution of all deacons and monks at the Monastery of Debra Libanos was ordered telegraphically by Graziani, who required to get confirmation by the words "LIQUIDAZIONE COMPLETA".

f) In June 1937 the Italians raided Marabeti bringing with them the savage Maia tribes' men. About 6.000 of the country people, men, women and children were killed during a terrible massacre at which mutilation came into use, as was the custom of that tribe. All the villages were burnt down. The Italians were commanded by General Maliti.

g) In October 1937 people from the Terra Azagirt district went to the commanding Italian officer, Colonel Bianchi, to obtain an order from him that the people should not be disturbed by the Italian troops. The Ethiopian negotiators who carried Italian flags were, however, summarily killed by machine-gunning. About 50 men lost their lives on this occasion.

h) In December 1937 every tenth man of the village of Chikulla was shot when the villagers did not disclose the whereabouts of a certain patriot which they were unable to do. About 70 men lost their lives on this occasion.

PARTICULARS OF EVIDENCE IN SUPPORT

A) Reports to the League of Nations.

Testimonies from doctors and other reliable witnesses.

Investigations by the International Red Cross.

Protests from the Swedish Government, the Ethiopian Red Cross Society and the International Red Cross Organization.

B) (i) Report to the League of Nations.

Testimonies from reliable witnesses.

(ii) Documentary evidence (telegrams).

Testimonies from reliable witnesses.

C) (i) Report from the Ethiopian Government.

Testimonies from reliable witnesses.

(ii) Testimonies from reliable witnesses.

D) (i) Reports to the League of Nations.

Overwhelming weight of evidence from doctors who have treated patients suffering from the effects of gas and from other reliable witnesses who had opportunities of verification.

Also the evidence of the Suez Canal returns, which showed that large quantities of poisonous gases and of gas bombs were received by the Italian forces.

(ii) Documentary evidence (telegrams).

Testimonies from reliable witnesses.

E) The Graziani Massacre: Overwhelming weight of evidence from reliable Ethiopians and foreigners (e.g. Dr. Ladislas Sava on whose account the above-stated particulars of the crime are based).

The other examples: Testimonies from reliable witnesses and/or telegrams.

- - - - - - -

The systematic terrorism can be proved not only by witnesses but also by some documentary evidence.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (*a*) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (*b*) the probable defence ; (*c*) whether the case appears to be reasonably complete.)

a) As regards A), B (i), C (i) and D (i) responsible as Commander of the Italian Forces on the Southern Front.

As regards B (ii), C (ii) and D (ii) responsible as Governor General of Ethiopia.

As regards E) responsible as Governor General of Ethiopia.

b) Orders from Mussolini. As regards A) and B (i) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops. The Graziani-massacre was a crime, undoubtedly committed on Graziani's own initiative.

c) Reasonably complete. The registering and grouping of evidence going on.

d) As regards the crimes committed during the war it may be referred to "Survey of International Affairs 1935", Volume II, Abyssinia and Italy, (London 1936), especially pages 411-414 inclusive.

As regards the crimes committed during Graziani's governorship it may be referred to the documentary evidence contained in "La Civilisation de l'Italie Fasciste en Ethiopie", published in 1946 by the Ethiopian Government's Press and Information Department. (One copy is attached hereto.)

(For the Use of the Secretariat)

Registered Number. | Date of receipt in Secretariat

UNITED NATIONS WAR CRIMES COMMISSION

CHARGES AGAINST ..... WAR CRIMINALS

CASE No. ..... *

Name of accused, his rank and unit, or official position. (*Not to be translated.*)	
Date and place of commission of alleged crime.	
Number and description of crime in war crimes list. References to relevant provisions of national law.	

SHORT STATEMENT OF FACTS.

TRANSMITTED BY .....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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(For the Use of the Secretariat)

Registered Number. Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS
CASE NO. 2 A - E.

Name of accused, his rank and unit, or official position. (Not to be translated.)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the Forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
Number and description of crime in war crimes list.	A) XXIII, B) XIX, C) XX, D) XXVI, E) I, II, III, IV, VII, VIII, XII, XIV, XVII, XVIII, XXIX, XXXIII.
References to relevant provisions of national law.	Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
(ii) Bombardment of many undefended places during Graziani's governorship.
C) (i) Destroying of churches on the Southern Front.
(ii) Destroying of religious buildings during Graziani's governorship.
D) (i) Use of poisonous gases against troops and civilians on the Southern Front.
(ii) Use of gases also on many occasions during Graziani's governorship.
E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa).

Ambaye Wolde Mariam (sgd)
President of the Commission

PARTICULARS OF ALLEGED CRIME

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Sanguile case under A), B), C) and D), with the exception of the crimes committed on the Northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Zukula and the railway Modjo-Madaam with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, ten of them bombers, took part in the actions. The villages were first destroyed by explosive and incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions, we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

C) (ii) One example: The historic Monastery of Debra Libanos was in May 1937 pillaged and destroyed.

D) (ii) Two examples:

a) In a telegram of 11th September, 1936, to Rome Graziani communicates a report telling that the air-force the same day has accomplished reprisals, using asphyxiating gases of any sort, in the zone, where it was presumed that Wendewossen had retired with his armed forces, "senza distinzione tra sottomessi et non sottomessi".

b) In a telegram of 11th September, 1936, to Assara, where a detachment of the air-force was based, Graziani, confirming another telegram adds that reprisals ought to be performed without pity in all districts of Lasta. Stating that Lasta is a fortified place and that the brethren Kassa from this time onwards are irreversibly rebels, Graziani gives the following instructions: "It is accordingly necessary to destroy systematically the said region in such a way that the people get convinced that they must abandon their chiefs /./ Since it is impossible to act to-day by troops the end may be attained by using during several days all means of destruction possessed by the air-force, especially by utilizing asphyxiating gases".

E) The Graziani Massacre: This massacre started on 19th February, 1937, after some bombs had been thrown against Graziani, who in the presence of all dignitaries presided a ceremony of distribution of alms, a ceremony which he copied from the Emperor of Ethiopia.

The organization of the massacre was systematic. The stopping of telegraphic and telephonic communication, in order to prevent people from giving any information to Europe, the closing of the shops, and the evacuation of the streets, were precautionary measures, carried out between 11 a.m., when the bombs had been thrown, and 6 p.m. If the first shooting in the courtyard and around the Pallace, from which hardly a single Ethiopian had escaped alive, occurred under the immediate fear and panic spread by the bomb thrown at Graziani, the massacre which started in the night was carefully prepared during seven hours.

Ethiopians were thrust into lorries, guarded by armed Blackshirts. Revolvers, truncheons, rifles and daggers were used to murder unarmed Ethiopians, of both sexes and all ages. Ethiopian homes were searched and then burnt with their inhabitants inside. The shooting never ceased all night, but most of the murders were committed with daggers and truncheons. Whole streets were burned down, and if any of the occupants of the houses ran out from the flames they were machine-gunned or stabbed. It was a mass murder of men, women and children and also an immense slaughtering of animals. The murder was accompanied by horrible mutilation and by robbery. The massacre was so systematical that three places in the town were appointed for the collection of corpses.

A second night of massacre followed, which resembled the first in every way except for some bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIME

Some other examples:

a) In a telegram of 12th September, 1936, to Rome Graziani reports, among other things, that Major Caffaro has already effected, the day before, the destruction of all villages in the valley of Bilbela Chiorghis and has shot the armed rebels, who were taken prisoners.

b) In a telegram of 30th July, 1936, to Rome, in which the execution of the Abuna Petros, one of the Ethiopian archbishops, is mentioned, Graziani reports, among other things, that the work of repressing the armed groups, dispersed in the forests, continues, that all prisoners have been executed and that inexorable repression has been effected of "tutte popolazioni" guilty if not of complicity so at least of "ômancata reazione".

c) About 500 monks were in the year 1937 kept in prison at Modjo. The conditions in the prison were extremely bad and most of the monks perished by starvation or disease.

d) A telegram of 1st March, 1937, from Graziani to General Nasi reads in translation: "10530 Cabinet /./ Riservato personale'/./ Decipher alone /./ Report 2646 M. concerning the presentation of numerous Amhara notables and officers in the regular ex-army /./ I order that they all be executed according to the directions given by Il Duce, thousand times repeated and unfortunately little obeyed by many people /./ The time has come when this must be brought to a close /./ I am anxious to inform Y.E. that the question is about those who have attempted my life - which is of no importance but does however represent Italy. - they were all Ethiopian notables who on generous conditions had been pardoned "un poco ovunque" /./ Moreover I will mention that I have already taken into consideration the complete removal of the Abyssinian chiefs and notables, a measure which Y.E. should take in his territories /./ A better occasion to get rid of them and a more favourable moment could not be found. Please acknowledge by the word EXECUTION, 'ma che mia assicurazione sul serio'/./ I transmit the whole of the present telegram to H.E. the Chief of the Government and I will do the same with any answer which Y.E. would send me in this matter."

e) In May, 1937, the execution of all deacons and monks at the Monastery of Debra Libanos was ordered telegraphically by Graziani, who required to get confirmation by the words "LIQUIDAZIONE COMPLETA".

f) In June 1937 the Italians raided Marabeti bringing with them the savage Raia tribes' men. About 6,000 of the country people, men, women and children were killed during a terrible massacre at which mutilation came into use, as was the custom of that tribe. All the villages were burnt down. The Italians were commanded by General Maliti.

g) In October 1937 people from the Terra Azagirt district went to the commanding Italian officer, Colonel Bianchi, to obtain an order from him that the people should not be disturbed by the Italian troops. The Ethiopian negotiators who carried Italian flags were, however, summarily killed by machine-gunning. About 80 men lost their lives on this occasion.

h) In December 1937 every tenth man of the village of Chikulla was shot when the villagers did not disclose the whereabouts of a certain patriot which they were unable to do. About 70 men lost their lives on this occasion.

PARTICULARS OF EVIDENCE IN SUPPORT

A) Reports to the League of Nations.

Testimonies from doctors and other reliable witnesses.

Investigations by the International Red Cross.

Protests from the Swedish Government, the Ethiopian Red Cross Society and the International Red Cross Organization.

B) (i) Report to the League of Nations.

Testimonies from reliable witnesses.

(ii) Documentary evidence (telegrams).

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(ii) Testimonies from reliable witnesses.

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Also the evidence of the Suez Canal returns, which showed that large quantities of poisonous gases and of gas bombs were received by the Italian forces.

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E) The Graziani Massacre: Overwhelming weight of evidence from reliable Ethiopians and foreigners (e.g. Dr. Ladislas Sava on whose account the above stated particulars of the crime are based).

The other examples: Testimonies from reliable witnesses and/or telegrams.

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The systematic terrorism can be proved not only by witnesses but also by some documentary evidence.

NOTES ON THE CASE

a) As regards A), B (i), C (i) and D (i) responsible as Commander of the Italian Forces on the Southern Front.

As regards B (ii), C (ii) and D (ii) responsible as Governor General of Ethiopia.

As regards E) responsible as Governor General of Ethiopia.

b) Orders from Mussolini. As regards A) and B (i) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops. The Graziani-massacre was a crime, undoubtedly committed on Graziani's own initiative.

c) Reasonably complete. The registering and grouping of evidence going on.

d) As regards the crimes committed during the war it may be referred to "Survey of International Affairs 1935", Volume II, Abyssinia and Italy, (London 1936), especially pages 411-414 inclusive.

As regards the crimes committed during Graziani's governorship it may be referred to the documentary evidence contained in "La Civilisation de l'Italie Fasciste en Ethiopie", published in 1946 by the Ethiopian Government's Press and Information Department. (One copy is attached hereto.)

For a true copy:

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS
CASE NO. 2 A - E.

Name of accused, his rank and unit, or official position. (Not to be translated.)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
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References to relevant provisions of national law.	Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
(ii) Bombardment of many undefended places during Graziani's governorship.
C) (i) Destroying of churches on the Southern Front.
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E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa).

Ambaye Wolde Mariam (sgd)
President of the Commission

PARTICULARS OF ALLEGED CRIME

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Badoglio case under A), B), C) and D), with the exception of the crimes committed on the Northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Zukala and the railway Dodjo-Dadama with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, ten of them bombers, took part in the actions. The villages were first destroyed by explosive incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

C) (ii) One example: The historic Monastery of Debra Libanos was in May 1937 pillaged and destroyed.

D) (ii) Two examples:

a) In a telegram of 11th September, 1936, to Rome Graziani communicates a report telling that the air-force the same day has accomplished reprisals, using asphyxiating gases of any sort, in the zone, where it was presumed that Sandevossen had retired with his armed forces, "senza distinzione tra sottomessi et non sottomessi".

b) In a telegram of 11th September, 1936, to Asmara, where a detachment of the air-force was based, Graziani, confirming another telegram adds that reprisals ought to be performed without pity in all districts of Lasta. Stating that Lasta is a fortified place and that the brethren Kassa from this time onwards are irreversibly rebels, Graziani gives the following instructions: "It is accordingly necessary to destroy systematically the said region in such a way that the people get convinced that they must abandon their chiefs /./ Since it is impossible to act to-day by troops the end may be attained by using during several days all means of destruction possessed by the air-force, especially by utilizing asphyxiating gases".

E) The Graziani Massacre: This massacre started on 19th February, 1937, after some bombs had been thrown against Graziani, who in the presence of all dignitaries presided a ceremony of distribution of alms, a ceremony which he copied from the Emperor of Ethiopia.

The organization of the massacre was systematic. The stopping of telegraphic and telephonic communication, in order to prevent people from giving any information to Europe, the closing of the shops, and the evacuation of the streets, were precautionary measures, carried out between 11 a.m., when the bombs had been thrown, and 6 p.m. If the first shooting in the courtyard and around the Pallace, from which hardly a single Ethiopian had escaped alive, occurred under the immediate fear and panic spread by the bomb thrown at Graziani, the massacre which started in the night was carefully prepared during seven hours.

Ethiopians were thrust into lorries, guarded by armed Blackshirts. Revolvers, truncheons, rifles and daggers were used to murder unarmed Ethiopians, of both sexes and all ages. Ethiopian homes were searched and then burnt with their inhabitants inside. The shooting never ceased all night, but most of the murders were committed with daggers and truncheons. Whole streets were burned down, and if any of the occupants of the houses ran out from the flames they were machine-gunned or stabbed. It was a mass murder of men, women and children and also an immense slaughtering of animals. The murder was accompanied by horrible mutilation and by robbery. The massacre was so systematical that three places in the town were appointed for the collection of corpses.

A second night of massacre followed, which resembled the first in every way except for some bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIME

Some other examples:

a) In a telegram of 12th September, 1936, to Rome Graziani reports, among other things, that Major Caffaro has already effected, the day before, the destruction of all villages in the valley of Bilbela Ghiorghis and has shot the armed rebels, who were taken prisoners.

b) In a telegram of 30th July, 1936, to Rome, in which the execution of the Abuna Petros, one of the Ethiopian archbishops, is mentioned, Graziani reports, among other things, that the work of repressing the armed groups, dispersed in the forests, continues, that all prisoners have been executed and that inexorable repression has been effected of "tutte popolazioni" guilty if not of complicity so at least of "ômancata reazione".

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Investigations by the International Red Cross.

Protests from the Swedish Government, the Ethiopian Red Cross Society and the International Red Cross Organisation.

B) (i) Report to the League of Nations.

Testimonies from reliable witnesses.

(ii) Documentary evidence (telegrams).

Testimonies from reliable witnesses.

C) (i) Report from the Ethiopian Government.

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As regards E) responsible as Governor General of Ethiopia.

b) Orders from Mussolini. As regards A) and B (i) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops. The Graziani-massacre was a crime, undoubtedly committed on Graziani's own initiative.

c) Reasonably complete. The registering and grouping of evidence going on.

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE NO. 2 A - E.

Name of accused, his rank and unit, or official position. (Not to be translated.)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
Number and description of crime in war crimes list.	A) XXIII, B) XIX, C) XX, D) XXVI, E) I, II, III, IV, VII, VIII, XII, XIV, XVII, XVIII, XXIX, XXXIII.
References to relevant provisions of national law.	Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

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A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
(ii) Bombardment of many undefended places during Graziani's governorship.
C) (i) Destroying of churches on the Southern Front.
(ii) Destroying of religious buildings during Graziani's governorship.
D) (i) Use of poisonous gases against troops and civilians on the Southern Front.
(ii) Use of gases also on many occasions during Graziani's governorship.
E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa).

Ambaye Wolde Mariam (sgd)
President of the Commission

PARTICULARS OF ALLEGED CRIME

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Badoglio case under A), B), C) and D), with the exception of the crimes committed on the Northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Zukula and the railway Modjo-Dadama with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, ten of them bombers, took part in the actions. The villages were first destroyed by explosive incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions, we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

C) (ii) One example: The historic Monastery of Debra Libanos was in May 1937 pillaged and destroyed.

D) (ii) Two examples:

a) In a telegram of 11th September, 1936, to Rome Graziani communicates a report telling that the air-force the same day has accomplished reprisals, using asphyxiating gases of any sort, in the zone, where it was presumed that Wendewossen had retired with his armed forces, "senza distinzione tra sottomessi et non sottomessi".

b) In a telegram of 11th September, 1936, to Asmara, where a detachment of the air-force was based, Graziani, confirming another telegram adds that reprisals ought to be performed without pity in all districts of Lasta. Stating that Lasta is a fortified place and that the brethren Kassa from this time onwards are irreversibly rebels, Graziani gives the following instructions: "It is accordingly necessary to destroy systematically the said region in such a way that the people get convinced that they must abandon their chiefs /./ Since it is impossible to act to-day by troops the end may be attained by using during several days all means of destruction possessed by the air-force, especially by utilizing asphyxiating gases".

E) The Graziani Massacre: This massacre started on 19th February, 1937, after some bombs had been thrown against Graziani, who in the presence of all dignitaries presided a ceremony of distribution of alms, a ceremony which he copied from the Emperor of Ethiopia.

The organization of the massacre was systematic. The stopping of telegraphic and telephonic communication, in order to prevent people from giving any information to Europe, the closing of the shops, and the evacuation of the streets, were precautionary measures, carried out between 11 a.m., when the bombs had been thrown, and 6 p.m. If the first shooting in the courtyard and around the Pallace, from which hardly a single Ethiopian had escaped alive, occurred under the immediate fear and panic spread by the bomb thrown at Graziani, the massacre which started in the night was carefully prepared during seven hours.

Ethiopians were thrust into lorries, guarded by armed Blackshirts. Revolvers, truncheons, rifles and daggers were used to murder unarmed Ethiopians, of both sexes and all ages. Ethiopian homes were searched and then burnt with their inhabitants inside. The shooting never ceased all night, but most of the murders were committed with daggers and truncheons. Whole streets were burned down, and if any of the occupants of the houses ran out from the flames they were machine-gunned or stabbed. It was a mass murder of men, women and children and also an insense slaughtering of animals. The murder was accompanied by horrible mutilation and by robbery. The massacre was so systematical that three places in the town were appointed for the collection of corpses.

A second night of massacre followed, which resembled the first in every way except for some bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIME

Some other examples:

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE NO. 2 A - E.

Name of accused, his rank and unit, or official position. (Not to be translated.)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
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UNITED NATIONS WAR CRIMES COMMISSION

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CASE NO. 2 A - E.

Name of accused, his rank and unit, or official position. (Not to be translated.)	G R A Z I A N I, Rodolpho Marshal (General) Commander of the forces on the Southern Front. Governor General and Vice-Roy of Ethiopia.
Date and place of commission of alleged crime.	During the Italo-Ethiopian war October 1935-May 1936. The Southern Front. During Graziani's governorship of Ethiopia, viz. 20th May 1936-26th December 1937. Many different places in Ethiopia.
Number and description of crime in war crimes list. References to relevant provisions of national law.	A) XXIII, B) XIX, C) XX, D) XXVI, E) I, II, III, IV, VII, VIII, XII, XIV, XVII, XVIII, XXIX, XXXIII. Ethiopian Penal Code (of 1930) Third part Chapters 5, 8 and 12. Fourth part Chapters 1, 2 and 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals and ambulance units on the Southern Front.
B) (i) Bombardment of open towns on the Southern Front.
(ii) Bombardment of many undefended places during Graziani's governorship.
C) (i) Destroying of churches on the Southern Front.
(ii) Destroying of religious buildings during Graziani's governorship.
D) (i) Use of poisonous gases against troops and civilians on the Southern Front.
(ii) Use of gases also on many occasions during Graziani's governorship.
E) Systematic terrorism during Graziani's governorship involving crimes of many different kinds and culminating in the so called Graziani-Massacre in February 1937.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa).

Ambaye Wolde Mariam (sgd)
President of the Commission

PARTICULARS OF ARMED CRIMES

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Badoglio case under A), B), C) and D), with the exception of the crimes committed on the Northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Zukula and the railway Modjo-Hadama with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, ten of them bombers, took part in the actions. The villages were first destroyed by explosive/incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

C) (ii) One example: The historic Monastery of Debra Libanos was in May 1937 pillaged and destroyed.

D) (ii) Two examples:

a) In a telegram of 11th September,1936, to Rome Graziani communicates a report telling that the air-force the same day has accomplished reprisals, using asphyxiating gases of any sort, in the zone, where it was presumed that Wendewossen had retired with his armed forces, "senza distinzione tra sottomessi et non sottomessi".

b) In a telegram of 11th September, 1936, to Asmara, where a detachment of the air-force was based, Graziani, confirming another telegram adds that reprisals ought to be performed without pity in all districts of Lasta. Stating that Lasta is a fortified place and that the brethren Kassa from this time onwards are irreversibly rebels, Graziani gives the following instructions: "It is accordingly necessary to destroy systematically the said region in such a way that the people get convinced that they must abandon their chiefs /./ Since it is impossible to act to-day by troops the end may be attained by using during several days all means of destruction possessed by the air-force, especially by utilizing asphyxiating gases".

E) The Graziani Massacre: This massacre started on 19th February, 1937, after some bombs had been thrown against Graziani, who in the presence of all dignitaries presided a ceremony of distribution of alms, a ceremony which he copied from the Emperor of Ethiopia.

The organization of the massacre was systematic. The stopping of telegraphic and telephonic communication, in order to prevent people from giving any information to Europe, the closing of the shops, and the evacuation of the streets, were precautionary measures, carried out between 11 a.m., when the bombs had been thrown, and 6 p.m. If the first shooting in the courtyard and around the Pallace, from which hardly a single Ethiopian had escaped alive, occurred under the immediate fear and panic spread by the bomb thrown at Graziani, the massacre which started in the night was carefully prepared during seven hours.

Ethiopians were thrust into lorries, guarded by armed Blackshirts. Revolvers, truncheons, rifles and daggers were used to murder unarmed Ethiopians, of both sexes and all ages. Ethiopian homes were searched and then burnt with their inhabitants inside. The shooting never ceased all night, but most of the murders were committed with daggers and truncheons. Whole streets were burned down, and if any of the occupants of the houses ran out from the flames they were machine-gunned or stabbed. It was a mass murder of men, women and children and also an immense slaughtering of animals. The murder was accompanied by horrible mutilation and by robbery. The massacre was so systematical that three places in the town were appointed for the collection of corpses.

A second night of massacre followed, which resembled the first in every way except for some bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIMES

As regards A), B (i), C (i) and D (i) reference is made to the descriptions given in the Badoglio case under A), B), C) and D), with the exception of the crimes committed on the Northern front.

B) (ii) One example: Bombardment in October 1936 of the district between Mount Zukula and the railway Modjo-Hadama with incendiary, explosive and mustard gas bombs. Twentyfive aeroplanes, ten of them bombers, took part in the actions. The villages were first destroyed by explosive/incendiary bombs then the yperite (mustard gas) came to use. From the telegram, in which Graziani gives an account of these actions we quote here the following part: "The said actions en masse shall be performed against all the districts along the railway without paying any attention to pseudo-submissions".

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A second night of massacre followed, which resembled the first in every way except for some bombing around the town carried out by the military aviation.

PARTICULARS OF ALLEGED CRIME

Some other examples:

a) In a telegram of 12th September, 1936, to Rome Graziani reports, among other things, that Major Caffaro has already effected, the day before, the destruction of all villages in the valley of Bilbela Ghiorghis and has shot the armed rebels, who were taken prisoners.

b) In a telegram of 30th July, 1936, to Rome, in which the execution of the Abuna Petros, one of the Ethiopian archbishops, is mentioned, Graziani reports, among other things, that the work of repressing the armed groups, dispersed in the forests, continues, that all prisoners have been executed and that inexorable repression has been effected of "tutte popolazioni" guilty if not of complicity so at least of "émancata reazione".

c) About 500 monks were in the year 1937 kept in prison at Modjo. The conditions in the prison were extremely bad and most of the monks perished by starvation or disease.

d) A telegram of 1st March, 1937, from Graziani to General Nasi reads in translation: "10530 Cabinet /./ Riservato personale'/./ Decipher alone /./ Report 2646 M. concerning the presentation of numerous Amhara notables and officers in the regular ex-army /./ I order that they all be executed according to the directions given by Il Duce, thousand times repeated and unfortunately little obeyed by many people /./ The time has come when this must be brought to a close /./ I am anxious to inform Y.E. that the question is about those who have attempted my life - which is of no importance but does however represent Italy. - they were all Ethiopian notables who on generous conditions had been pardoned "un poco ovunque" /./ Moreover I will mention that I have already taken into consideration the complete removal of the Abyssinian chiefs and notables, a measure which Y.E. should take in his territories /./ A better occasion to get rid of them and a more favourable moment could not be found. Please acknowledge by the word EXECUTION, 'ma che mia assicurazione sul serio'/./ I transmit the whole of the present telegram to H.E. the Chief of the Government and I will do the same with any answer which Y.E. would send me in this matter."

e) In May, 1937, the execution of all deacons and monks at the Monastery of Debra Libanos was ordered telegraphically by Graziani, who required to get confirmation by the words "LIQUIDAZIONE COMPLETA".

f) In June 1937 the Italians raided Marabeti bringing with them the savage Raia tribes' men. About 6.000 of the country people, men, women and children were killed during a terrible massacre at which mutilation came into use, as was the custom of that tribe. All the villages were burnt down. The Italians were commanded by General Maliti.

g) In October 1937 people from the Terra Azagirt district went to the commanding Italian officer, Colonel Bianchi, to obtain an order from him that the people should not be disturbed by the Italian troops. The Ethiopian negotiators who carried Italian flags were, however, summarily killed by machine-gunning. About 80 men lost their lives on this occasion.

h) In December 1937 every tenth man of the village of Chikulla was shot when the villagers did not disclose the whereabouts of a certain patriot which they were unable to do. About 70 men lost their lives on this occasion.

PARTICULARS OF EVIDENCE IN SUPPORT

A) Reports to the League of Nations.
Testimonies from doctors and other reliable witnesses.
Investigations by the International Red Cross.
Protests from the Swedish Government, the Ethiopian Red Cross Society and the International Red Cross Organization.

B) (i) Report to the League of Nations.
Testimonies from reliable witnesses.

(ii) Documentary evidence (telegrams).
Testimonies from reliable witnesses.

C) (i) Report from the Ethiopian Government.
Testimonies from reliable witnesses.

(ii) Testimonies from reliable witnesses.

D) (i) Reports to the League of Nations.
Overwhelming weight of evidence from doctors who have treated patients suffering from the effects of gas and from other reliable witnesses who had opportunities of verification.
Also the evidence of the Suez Canal returns, which showed that large quantities of poisonous gases and of gas bombs were received by the Italian forces.

(ii) Documentary evidence (telegrams).
Testimonies from reliable witnesses.

E) The Graziani Massacre: Overwhelming weight of evidence from reliable Ethiopians and foreigners (e.g. Dr. Ladislas Sava on whose account the above stated particulars of the crime are based).
The other examples: Testimonies from reliable witnesses and/or telegrams.

- - - - - - -

The systematic terrorism can be proved not only by witnesses but also by some documentary evidence.

NOTES ON THE CASE

a) As regards A), B (i), C (i) and D (i) responsible as Commander of the Italian Forces on the Southern Front.

As regards B (ii), C (ii) and D (ii) responsible as governor General of Ethiopia.

As regards E) responsible as Governor General of Ethiopia.

b) Orders from Mussolini. As regards A) and B (i) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops. The Graziani-massacre was a crime, undoubtedly committed on Graziani's own initiative.

c) Reasonably complete. The registering and grouping of evidence going on.

d) As regards the crimes committed during the war it may be referred to "Survey of International Affairs 1935", Volume II, Abyssinia and Italy, (London 1936), especially pages 411-414 inclusive.

As regards the crimes committed during Graziani's governorship it may be referred to the documentary evidence contained in "La Civilisation de l'Italie Fasciste en Ethiopie", published in 1946 by the Ethiopian Government's Press and Information Department. (One copy is attached hereto.)

For a true copy:

[illegible]

(For the Use of the Secretariat)

Registered Number.	Date of receipt in Secretariat.

UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE No. 1 A - D. *

Name of accused, his rank and unit, or official position. (*Not to be translated.*)	B A D O G L I O, Pietro Marshal of Italy, Chief of the Italian General Staff, Commander in Chief of all the Italian Forces in East Africa, and High Commissioner for Eritrea and Somaliland (took over command on the 28th November, 1935)
Date and place of commission of alleged crime.	During the Italo-Ethiopian War October 1935-May 1936. Several places in Ethiopia.
Number and description of crime in war crimes list. References to relevant provisions of national law.	A) XXIII. Deliberate bombardment of hospitals. B) XIX. Deliberate bombardment of undefended places. C) XX. Wanton destruction of religious buildings and monuments. D) XXVI. Use of deleterious and asphyxiating gases. Ethiopian Penal Code (of 1930). Third part Chapters 12 and 5, Fourth part Chapter 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals, ambulance units or ambulance planes on seventeen different occasions between 3rd October, 1935, and 20th March, 1936.

B) Bombardment of several open towns between 3rd October, 1935, and 29th March, 1936.

C) Destroying of several churches from November, 1935, to January, 1936.

D) Use of poisonous gases against troops and civilians from the 22nd December, 1935, onwards, greatly increased from March, 1936, onwards.

TRANSMITTED BY The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

(President of the Commission) Ambaye Wolde Marian

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

A) The first occasion on which bombs had been dropped on buildings or tents bearing the sign of the Red Cross was at Adowa on the 3rd October, 1935, the day on which the Italian invasion began. On the 6th December a hospital maintained by the American Seventh Day Adventist Mission at Dessye was practically destroyed by air bombardment. At Negelli, on the 15th December, an Ethiopian Red Cross unit was bombed and on the 22nd December the Swedish ambulance unit which was stationed not far from Dolo was attacked. This was a prelude to the far more serious incident of the 30th December, when the Swedish unit was bombed again and two Swedish doctors were wounded - one fatally - and a large number of patients were killed. In addition practically the whole equipment of the unit were lost. On the 30th and 31st December the Egyptian Red Crescent ambulance had been bombed near Bulale, and on the 4th January, 1936, the equipment of an Ethiopian Red Cross unit, the staff of which included two English missionaries and two Egyptian doctors, was destroyed near Daggah Bur. On the 15th January a camp belonging to the Ethiopian Red Cross was bombed at Walfia, north of Dessye, and on the 16th another Ethiopian ambulance unit, staffed by foreign doctors, was bombed near Makalle. The Egyptian Red Crescent suffered again on the 11th and 12th February, and on the 3rd March and on the succeeding days a British Red Cross unit stationed near Kworam was bombed repeatedly in spite of the fact that the Italian Government had been notified through the International Red Cross of the presence of the unit in that neighbourhood. Another British ambulance unit was attacked at Chilga on the 20th March and three days earlier the Swedish Red Cross had again been bombed on the Southern Front. An Ethiopian Red Cross aeroplane had been bombed on the 9th February and another was destroyed at Kworam on the 17th March.

B) By April, 1936, the Ethiopian Government notified the League of Nations of a long list of open towns which had been subjected to bombardment from the air beginning with Adowa and Addi Grat on the 3rd October, 1935, and ending with Harrar on the 29th March, 1936.

C) The Italians destroyed churches at Daggah Bur in November, in Shire and Tembyen when they were obliged in December 1935 to retreat from ground which they had occupied, and at Sokota and Abbi Addi in January 1936.

D) In April 1936 the Ethiopian Government sent to Geneva a report on the use of poisonous gases by the Italian troops, according to which Ethiopian towns (many of them outside the area of fighting) had been bombed or sprayed with poison gas on eighteen occasions between the 22nd December, 1935, and the 7th April, 1936. According to the same report gas was used for the first time against troops in the field on the Northern Front (in the Takazye region) on the 23rd December, and on the Southern Front on the 30th December. From the turn of the year onwards, the use of chemical methods of warfare was gradually intensified especially on the Northern Front. Mustard-gas (yperite) was used at Sokota on the 10th January, and it was used again at air-raids south of Amba Alagi in February. Spraying and bombing with mustard-gas was greatly increased from the beginning of March onwards and the town of Kworam was said to have been saturated with it between the 4th and the 7th April. On the Southern Front gas bombing at Daggah Bur and Sasa Ranch were reported on the 8th April, but on the whole less use was made of poison gas in the south than in the north.

PARTICULARS OF EVIDENCE IN SUPPORT

A) Reports to the League of Nations.
Testimonies from doctors and other reliable witnesses.
Investigations by the International Red Cross.
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B) Report to the League of Nations.
Testimonies from reliable witnesses.

C) Report from the Ethiopian Government.
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Overwhelming weight of evidence from doctors who have treated patients suffering from the effects of gas and from other reliable witnesses who had opportunities of verification.
Also the evidence of the Suez Canal returns, which showed that large quantities of poisonous gases and of gas bombs were received by the Italian forces.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (*a*) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (*b*) the probable defence; (*c*) whether the case appears to be reasonably complete.)

a) Responsible as Chief of the Italian General Staff and as Commander in Chief of the Italian Forces.

b) Orders from Mussolini. As regards A) and B) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops.

c) Reasonably complete. The registering and grouping of evidence proceed.

Possible that also other charges can be brought against Badoglio.

d) As regards the case as a whole it can be referred to "Survey of International Affairs 1935" Volume II, Abyssinia and Italy (London 1936), especially pages 411-414 inclusive.

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES AGAINST ITALIAN WAR CRIMINALS

CASE NO. 1. A - D.

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Date and place of commission of alleged crime.	During the Italo-Ethiopian War October 1935-May 1936. Several places in Ethiopia.
Number and description of crime in war crimes list.	A) XXIII. Deliberate bombardment of hospitals. B) XIX. Deliberate bombardment of undefended places C) XX. Wanton destruction of religious buildings and monuments. D) XXVI. Use of deleterious and asphyxiating gases.
References to relevant provisions of national law.	Ethiopian Penal Code (of 1930). Third part Chapters 12 and 5, Fourth part Chapter 6. Preface Articles 11 and 12.

SHORT STATEMENT OF FACTS.

A) Bombardment of hospitals, ambulance units or ambulance planes on seventeen different occasions between 3rd October, 1935, and 29th March, 1936.

B) Bombardment of several open towns between 3rd October, 1935, and 29th March, 1936.

C) Destroying of several churches from November, 1935, to January, 1936.

D) Use of poisonous gases against troops and civilians from the 22nd December, 1935, onwards, greatly increased from March, 1936, onwards.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Sd/ Ambaye Wolde Mariam
President of the Commission

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Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Sd/ Ambaye Wolde Mariam
President of the Commission

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B) By April, 1936, the Ethiopian Government notified the League of Nations of a long list of open towns which had been subjected to bombardment from the air beginning with Adowa and Addi Grat on the 3rd October, 1935, and ending with Harrar on the 29th March, 1936.

C) The Italians destroyed churches at Daggah Bur in November, in Shire and Tembyen when they were obliged in December 1935 to retreat from ground which they had occupied, and at Sokota and Abbi Addi in January 1936.

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PARTICULARS OF EVIDENCE IN SUPPORT

A) Reports to the League of Nations.

Testimonies from doctors and other reliable witnesses.

Investigations by the International Red Cross.

Protests from the Swedish and British Governments and by the Ethiopian Red Cross Society and the International Red Cross Organization.

B) Report to the League of Nations.

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C) Report from the Ethiopian Government.

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Overwhelming weight of evidence from doctors who have treated patients suffering from the effects of gas and from other reliable witnesses who had opportunities of verification.

Also the evidence of the Suez Canal returns, which showed that large quantities of poisonous gases and of gas bombs were received by the Italian forces.

a) Responsible as Chief of the Italian General Staff and as Commander in Chief of the Italian Forces.

b) Orders from Mussolini. As regards A) and B) there will probably be alleged that fighting forces were taking protection under the Red Cross and that the open towns contained troops.

c) Reasonably complete. The registering and grouping of evidence proceed.

Possible that also other charges can be brought against Badoglio.

d) As regards the case as a whole it can be referred to "Survey of International Affairs 1935" Volume II, Abyssinia and Italy (London 1936), especially pages 411-414 inclusive.

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES against ITALIAN WAR CRIMINALS

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References to relevant provisions of national law.	Ethiopian Penal Code (of 1930). Third part Chapters 12 and 5, Fourth part Chapter 6. Preface Articles 11 and 12.

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Transmitted by The Ethiopian War Crimes Commission (in the Ministry of ~~Justice, Addis Ababa~~)

Ambaye Wolde Mariam
President of the Commission

PARTICULARS OF ALLEGED CRIME.

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES against ITALIAN WAR CRIMINALS

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D) Use of poisonous gases against troops and civilians from the 22nd December, 1935, onwards, greatly increased from March, 1936, onwards.

Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Sgd. Ambaye Wolde Mariam
President of the Commission

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UNITED NATIONS WAR CRIMES COMMISSION

ETHIOPIAN CHARGES against ITALIAN WAR CRIMINALS

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Transmitted by The Ethiopian War Crimes Commission (in the Ministry of Justice, Addis Ababa)

Ambaye Wolde-Mariam
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The attached charge sheets - Graziani and Badoglio were handed the Sec. Gen. on 1 August 47 by:-

Blatta Ephrem T. Medhen

Envoy Extraordinary and Minister Plenipotentiary

of Ethiopia

1.14.

አዲስ ፡ አበባ ፡ February 4, 1948.
Addis Ababa,

የኢትዮጵያ ፡ ንጉሠ ፡ ነገሥት ፡ መንግሥት ፡
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Ministry of Foreign Affairs

No. 95/50

The Vice-Minister for Foreign Affairs, on behalf of the Imperial Ethiopian Government, has the honour to transmit herewith for the attention of the United Nations War Crimes Commission four charge-sheets, prepared in the form prescribed by the Commission, regarding Pietro Badoglio, Rodolpho Graziani, Alessandro Lessona and Guido Cortese. It is requested that the charges be examined with a view to listing the four individuals in the usual course.

The remaining six charges, for as previously announced the Ethiopian Government do not intend to seek the listing of more than ten of the Italians who committed major war crimes in Ethiopia, will, as already reported to the Commission, be prepared within the next two weeks and brought to London by a representative of the Ethiopian War Crimes Commission, who shall be at the disposal of the United Nations War Crimes Commission when considering the charges submitted by the Imperial Ethiopian Government.

It is known to the Imperial Ethiopian Government that some of the Italians who committed war crimes in Ethiopia are dead, e.g. Maletti, Lorenzini, and Natale. Therefore, should it appear that any of the ten, against whom charges may be submitted to the United Nations War Crimes Commission, is no longer alive, the Ethiopian Government reserve the right to substitute an additional charge.

The United Nations
War Crimes Commission,
Lansdowne House, Berkely Square,
London, W.I.

A.A. 16-2-39. B.S. No. 1095 - 2,000.

1.17.

6, Prince's Gate,

S. W. 7.

IMPERIAL ETHIOPIAN LEGATION
LONDON

5th January, 1948.

Sir,

I thank you for your letter of the 23rd January, 1948, concerning the date for submission of charges from the National Offices.

I have duly transmitted your communication to the appropriate office and, in reply, I am directed to inform you that the documents in connection with the charges against the four major war criminals have been despatched from Addis Ababa by 'plane on the 3rd instant, and that, furthermore, the Ethiopian Representative will leave for London on the 17th February with the remainder of the documents concerning the charges.

I have the honour to be
Sir
Your obedient servant

(Yohannes Reda-Egzy),

First Secretary.

Colonel G.H. Ledingham,
Secretary-General,
United Nations War Crimes
Commission,
Lansdowne House,
Berkeley Square, W. 1.

RECEIVED
9 FEB 1948
Ansd.....

የኢትዮጵያ ፡ ንጉሠ ፡ ነገሥት ፡ መንግሥት ፡
የውጭ ፡ ጉዳይ ፡ ሚኒስቴር ፡

Ministry of Foreign Affairs

No. 1427/50

አዲስ ፡ አበባ ፡ Addis Ababa, February 13, 1948.

The Vice-Minister of Foreign Affairs, on behalf of the Imperial Ethiopian Government, has the honour to refer to his memorandum of 4 February, 1948, forwarding four charge-sheets for the attention of the United Nations War Crimes Commission and in accordance with the undertaking in that memorandum to forward the six remaining charge-sheets herewith. The list of ten beginning with Badoglio, Graziani, Lessona and Cortese is thus completed with the addition of the names of Nasi, Pirzio Biroli, Geloso, Gallina, Tracchia and Cerulli. It is requested that the charges be examined with a view to listing the six individuals in the usual course.

A representative of the Ethiopian War Crimes Commission is leaving Addis Ababa by air for London on 19 February and will carry such appendices to the enclosed six charge-sheets as may not be included herewith as well as supplementary material in accordance with his instructions to place himself at the disposal of the Commission during the course of their consideration of the charges.

The United Nations
War Crimes Commission,
Lansdowne House, Berkely Square,
London, W.1.

A.A. 16-2-39. B.S. No. 1026 -2,000.

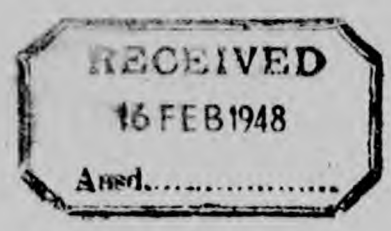
D. Schwarzki

1.14

6, Prince's Gate,
London, S.W.7.

IMPERIAL ETHIOPIAN LEGATION
LONDON No. 935-W(5)

16th February, 1948.



Sir,

With further reference to this Legation's letter of the 5th February, 1948, I have the honour to transmit herewith a letter from His Excellency the Vice-Minister of Foreign Affairs, together with four sealed envelopes containing the documents in connection with the charges against four of the major Italian war criminals.

I take this opportunity to recall that the charges against the remaining Italian war criminals, as already indicated, will be presented to the United Nations War Crimes Commission by the Representative of the Ethiopian War Crimes Commission, who is now on his way to London.

I am, Sir,

Your obedient Servant,

(Blatta) EPHREM TEWELDE MEDHEN

Minister.

Copies of these 2 letters should be circulated to members of Comm. Together with charges

Colonel G.A. Ledingham,
Secretary-General,
United Nations War Crimes Commission,
Lansdowne House,
Berkeley Square,
W.1.

IMPERIAL ETHIOPIAN LEGATION
LONDON

No. 942-W(5)

6, Prince's Gate,
London, S.W.7.

23rd February, 1948.

Sir,

Referring to my letter, No. 935-W(5) of the 16th February, 1948, and that of the 17th February, No. 937-W(5), I have the honour to transmit herewith a letter from His Excellency the Vice-Minister of Foreign Affairs of Ethiopia, together with six sealed envelopes containing the six remaining Charge Sheets against Italian war criminals.

With reference to the arrival of the representative of the Ethiopian War Crimes Commission, I wish to inform you that I have just received a telegram from Baron Leijonhufvud, to the effect that his plane has been held up at Malta, owing to weather conditions. I should appreciate it if you would be good enough to inform the Commission accordingly.

I am, Sir,

Your obedient Servant,

(Blatta) EPHREM TEWELDE MEDHEN
Minister.

Lieut.Colonel G.A. Ledingham,
Secretary-General,
United Nations War Crimes Commission,
Lansdowne House,
Berkeley Square,
W.1.

UNITED NATIONS WAR CRIMES COMMISSION

The Secretariat acknowledges receipt from the

ETHIOPIAN National Office of the following cases

National Office No.		U.N.W.C.C. Registry No.
1	BADOGLIO	7878/E/It/1
2	GRAZIANI	7879 - 2
3	LESSONA	7880 - 3
4	CORTESE	7881 - 4
5	NASI	7882 - 5
6	PIRZIO BIROLI	7883 - 6
7	GELOSO	7884 - 7
8	GALLINA	7885 - 8
9	TRACCHIA	7886 - 9
10	CERULLI	7887 - 10

Date: 24.2.48 Signed:

6, Prince's Gate,
London, S.W.7.

IMPERIAL ETHIOPIAN LEGATION
LONDON No. 946-W(5)

24th February, 1948.

Sir,

Referring to the letter of His Excellency the Vice-Minister of Foreign Affairs of Ethiopia, dated 13th February, 1948, which was transmitted to you by His Excellency the Ethiopian Minister in London on the 23rd February, I have the honour herewith to hand to the United Nations War Crimes Commission the appendices to the charge-sheets concerning the Italian war criminals : Nasi, Pirzio Biroli, Geloso, Gallina and Tracchia. I may recall that the appendices to the charge-sheets concerning the other war criminals have already been transmitted to the Commission.

As is to be seen from the letter mentioned above, I am instructed to place myself at the disposal of the Commission during the course of their consideration of the charges.

My address is : Hyde Park Hotel, S.W.1.
(Telephone: Sloane 4567, Extension 221.)

I have, Sir, the honour to remain,

Very truly Yours,

Erik Leijonhufvud

ERIK LEIJONHUFVUD,

Advocate General
of the
Imperial Ethiopian Government.

Colonel G.A. Ledingham,
Secretary General,
United Nations War Crimes Commission,
Lansdowne House,
Berkeley Square,
W.1.

C. C

1st March, 1948.

Dear Baron Leijonhufvud,

With reference to your letter of 24th February, 1948, addressed to the Secretary-General, I have pleasure in informing you that the Ethiopian cases will be considered by Committee I on Thursday 4th March, at 10.30 a.m., and not on Friday as originally arranged.

I enclose herewith for your information Notes on the Cases prepared for the Committee by Dr. Zivkovié for your information and perusal. If you would wish to discuss these before the meeting, Dr. Zivkovié and myself are at your disposal at any time on Wednesday next.

Yours sincerely,

J. LITAWSKI.
Legal Officer.

Baron Leijonhufvid,
Advocate General of the
Imperial Ethiopian Government,
Hyde Park Hotel,
S. W. I.

9th April, 1948.

Your Excellency,

With reference to your letter dated 25th March, with which you enclosed copy of the affidavit referred to in the letter of Baron Leijonhufvud dated 19th March, I have the honour to inform you that both the cable and the memo. submitted by Baron Leijonhufvud were brought to the attention of Committee I at its meeting held on 31st March.

The Committee reconsidered the case of Lessona (No. 7880) very carefully, but was of the opinion that direct responsibility for the crimes alleged was not sufficiently established to justify reclassifying him from Suspect to War Criminal. Accordingly it was decided that Lessona should remain on the Commission's List as a Suspect for complicity in systematic terrorism.

With regard to the case concerning Cerulli (No. 7887), the Committee decided to list Cerulli as a Suspect for complicity in systematic terrorism.

I am,

Sir,

Your Excellency's obedient Servant,

Colonel
Secretary-General

His Excellency
The Ethiopian Minister,

Imperial Ethiopian Legation,
6 Princes Gate, S.W.7.

6, Prince's Gate,
S. W. 7.

IMPERIAL ETHIOPIAN LEGATION
LONDON No. 984-W(5)

15th April, 1948.

Sir,

I have the honour to acknowledge receipt of your letter dated April 9th, 1948 regarding the listing of Lessona (No.7880) and of Cerulli (No.7887) as Suspects for complicity in systematic terrorism.

I am, Sir,

Yours sincerely,

(Blatta) EPHREM TEWELDE MEDHEN,
Minister.

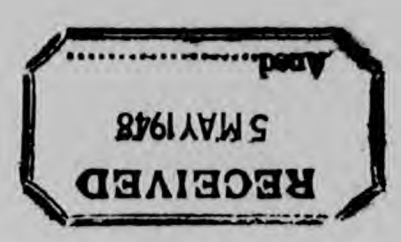
RECEIVED
19 APR 1948

Seen
file

Colonel G. A. Ledingham,
Secretary-General,
United Nations War Crimes
Commission,
Lansdowne House,
Berkeley Square,
London, W. 1.

IMPERIAL ETHIOPIAN LEGATION
LONDON

6, Prince's Gate,
London, S. W. 7.



3rd May, 1948.

No. 993-(5)

Sir,

With further reference to your letter of the 9th April, 1948, regarding the listing of the Italians, Lessona (Case No. 7880) and Cerulli (Case No. 7887), as Suspects for complicity in systematic terrorism, I should be most grateful to receive confirmation in writing of the crimes for which the other eight Italians (Cases Nos. 7878, 7879, 7881 - 7886) are listed.

I have the honour to be, Sir,

Yours sincerely,

(Blatta) EPHREM TEWELDE MEDHEN,

Minister.

The Secretary-General,
United Nations War Crimes Commission,
Lansdowne House,
Berkeley Square,
London, W. 1.

5th May, 1948.

Your Ref: 993-W(5)

Your Excellency,

I have to thank you for your letter of 3rd May regarding the listing by this Commission of ten Italians charged by Ethiopia (Case Nos. 7878-7887). The names of the individuals concerned will be included in U.N.W.C.C. List No. 80 which is now in the course of publication. A copy of this List will be transmitted to you in approximately two weeks.

I am,

Sir,

Your Excellency's obedient Servant,

Colonel
Secretary-General

His Excellency
The Ethiopian Minister,
Imperial Ethiopian Legation,
6 Princes Gate,
S. W. 7.

2956

12 May, 1948.

Your Excellency,

I have pleasure in enclosing herewith three copies of
/. U.N.W.C.C. List No. 80, containing the names of ten Italians charged by Ethiopia. With regard to the particulars concerning GRAZIANI, Serial No. 237, I would draw your attention to the amendment attached to p.iii of the List.

I am,

Sir,

Yours Excellency's obedient Servant,

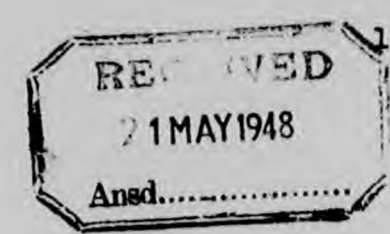
J. LITAWSKI

His Excellency
The Ethiopian Minister,
Imperial Ethiopian Legation,
6, Princes Gate,
S. W. 7.

3.21 E

6, Prince's Gate,
London, S.W.7.

IMPERIAL ETHIOPIAN LEGATION
LONDON
No. 996-W(5)



18th May, 1948.

Dear Sir,

I have pleasure to acknowledge your letter of the 12th May, 1948, enclosing three copies of U.N.W.C.C. List No. 80, containing the names of ten Italian war criminals charged by Ethiopia.

I note the amendment attached to page 3 of the List with regard to the charges concerning Graziani, Serial No. 237.

I am, Sir,

Yours faithfully,

(Blatta) EPHREM TEWELDE MEDHEN
Minister.

J. Litawski, Esq.,
United Nations War Crimes Commission,
Lansdowne House,
Berkeley Square,
London, W.1.

2762

11th November, 1948.

Dear Sir,

As agreed by telephone to-day I have pleasure in enclosing herewith two copies (Nos. 109 and 123) of the U.N.W.C.C.'s 80th List of War Criminals, Suspects and Material Witnesses.

Yours faithfully,

(Miss) E.M. Sirey

H.S. Jevons Esq.,
Imperial Ethiopian Legation,
6, Prince's Gate,
S. W. 7.

Receipt acknowledged